13/ Req for Reconsid 5-20-04 NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Our Case No. 13051US03)

In The Application Of:

KNOWLES ET AL.

Serial No.: 09/998,220

Filed: November 20, 2001

Examiner: K. Nguyen

Group Art Unit: 2674

For: ACOUSTIC WAVE TOUCH ACTUATED SWITCH WITH FEEDBACK

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

May 10, 2004

By: Jean D. Knudsen

Reg. No.: 30,171

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action of November 13, 2003.

Claims 1-20 are at issue.

The rejection of claims 1-5, 9-14, 19 and 20 under 35 U.S.C. § 103(a) in view of Blouin and Kambara et al. and the rejection of claims 6-8 and 15-18 under 35 U.S.C. 103(a) in view of Blouin, Kambara et al, Jaeger et al. and McLoone et al. are respectfully traversed.

Each of claims 1-20 specifies "a substrate;" "a mesa formed on the substrate, the mesa defining an acoustic wave cavity;" and "wherein a touch on a touch surface of the acoustic wave cavity produces a detectable change in the acoustic wave in the cavity." Blouin does not teach an acoustic wave cavity or generating an acoustic wave in an acoustic wave cavity wherein a touch on a touch surface of the acoustic wave cavity produces a detectable change in the acoustic

wave in either Figure 2 or at column 2, lines 51-60 as the Examiner contends. Figure 2 is described in Blouin at column 2, lines 57-59 as an analog resistive touch screen. Such a touch screen does not produce a detectable change in an acoustic wave in response to a touch on a touch surface of the analog resistive touch screen. An analog touch screen operates on completely different principles. Moreover, at column 2, lines 51-60, Blouin describes a tactile feedback unit which "generates a mechanical vibration sensed by the user when the touch screen is touched" and wherein "[t]he activation is based on conditions predefined in the system user interface such as the location of the key pressed." The tactile feedback unit of Blouin does not generate an acoustic wave in an acoustic wave cavity wherein a touch on a touch surface of the acoustic wave cavity produces a detectable change in the acoustic wave as required by the claims at issue. Moreover, Blouin does not teach a mesa formed on a substrate wherein the mesa defines an acoustic wave cavity as required by the claims. Kambara et al. does not overcome the deficiencies of Blouin. In particular, Kambara does not teach a substrate and a mesa formed on the substrate, the mesa defining an acoustic wave cavity as claimed. At column 11, lines 27-34 and at column 11, lines 35-39, Kambara is describing a substrate only and is not describing a mesa formed on the substrate that defines an acoustic wave cavity as claimed.

Because none of the cited references teach a substrate and a mesa formed on the substrate, the mesa defining an acoustic wave cavity wherein a touch on a touch surface of the acoustic wave cavity produces a detectable change in the acoustic wave in the cavity as recited in the claims, the cited references cannot make obvious the invention of claims 1-20 under 35 U.S.C. § 103. As such, these claims are believed to be allowable.

Reconsideration and allowance of claims 1-20 is respectfully requested.

Respectfully submitted,

Dated: May 10, 2004

By _____
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